

REMARKS

On page 2 of the office action, Applicant respectfully draws attention to an error with regard to foreign priority. The priority application, No. 20031433 filed October 3, 2003, is a Finland patent application, not a France patent application as is recited in the office action. Please correct this error in the patent application record accordingly.

Applicant has amended independent claims 1, 8, 12, 17, 21 and 22 to more particularly point out and distinctly claim the subject matter which the Applicant regards as his invention. Support for the amendment can be found in Figures 1-5. No new matter has been introduced by way of amendment.

*Claim Rejections -- 35 U.S.C. 101*

On page 3 of the office action, the Examiner rejects claim 21 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Applicant has amended claim 21 to conform to proper statutory format. No new matter has been introduced by way of the amendment. Withdrawal of the 35 U.S.C. 101 rejection of claim 21 is respectfully requested.

*Claim Rejections – 35 U.S.C. 102*

On pages 4-5 of the office action, the Examiner rejects claim 1 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* fails to disclose “displaying the first identification part of the at least two function elements in said first direction on outermost display areas, displaying the second identification part of the at least two function elements on at least one display area *between said outermost display areas* in such a manner that a second *identification* part of a first function element and a second *identification* part of a second function element are positioned at least substantially next to each other in a second direction substantially *perpendicular* to said first direction” (emphasis added). This concept is represented best in Figures 1-5. Essentially, first identification parts, such as icons, are shown in outermost display areas (in Figures 1-5, these are essentially the right (C) and left (A) thirds of the display screen); the defined second

identification parts, such as textual labels, that are contained in each function element are shown in a position at least substantially next to each other in a second direction substantially perpendicular (e.g., top and bottom, or vertical) to said first direction (e.g., right and left, or horizontal) between the outermost display areas. As a result of this claimed structure, this configuration provides the following added benefits: 1) saving space as two function elements (e.g., two icons with two corresponding textual labels) can be represented in the space typically reserved for only one function element (e.g., one icon and one label); 2) due to the space-saving aspect of the invention, the function elements can be presented in a larger size that is more easily viewed by the user.

As taught in *Driskell* at col. 7, line 67 – col. 8, line 3, and col. 11, lines 17-18, 61-66, the menu is divided into a “shell” area enabling the user to highlight and select the desired item, and a central area comprising “function-areas” which essentially contain navigational tools. The central area provides such selections as “up,” “down,” “top,” “bottom,” etc. for navigating through the menu to select the desired item.

The “shell” area of *Driskell* is roughly comparable to the outermost display areas of the present invention, and the central area of *Driskell* is roughly comparable to the display area between the outermost display areas. In the present application, claim 1 clearly defines that the display area between the outermost display areas contains a second *identification* part of a first function element and a second *identification* part of a second function element, *not navigational tools* for selecting a function element. *Driskell* teaches that the central area contains *navigational functions* for moving through the function elements of the menu; *Driskell* does not disclose “displaying the first identification part of the at least two function elements in said first direction on outermost display areas, displaying the second identification part of the at least two function elements on at least one display area between said outermost display areas in such a manner that a second identification part of a first function element and a second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially *perpendicular* to said first direction.” As shown in Fig. 1A in *Driskell*, the first identification part (“icon A” 1A08) of the first function element and the second identification part (“Label #1”) of the first function element are displayed together in a horizontally adjacent manner in one of the outermost display areas; no identification part is represented in the area between the outermost display areas. Furthermore, even if the space

occupied by “Label #1” (second identification part of the first element) were between the outermost display areas, “Label #7” (second identification part for the second element) for “icon D” (first identification part for the second element) is shown in an outermost display area, not between the outermost display areas, and “icon D” (first identification part for the second element) is in between the outermost display areas. In this configuration, only one of the first identification parts (“icon A”) of the at least two function elements is located in the outermost display area. Moreover, the second identification parts of the at least two function elements in *Driskell* are not positioned at least substantially next to each other in a second direction substantially *perpendicular* to said first direction, rather they are positioned in a parallel direction. Thus, for at least the above reasons, *Driskell* does fails to anticipate claim 1. Withdrawal of the rejection of claim 1 is respectfully requested.

Claims 2-5 and 7 are dependent from claim 1 and recite features not recited in claim 1. For at least the reasons regarding claim 1 above, claims 2-5 and 7 are also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claims 2-5 and 7 is respectfully requested.

On pages 6-7 of the office action, the Examiner rejects claim 8 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* does not disclose that “a first identification part of each function element of the at least two function elements is displayed in said first direction on outermost display areas, a second identification part of each function of the at least two function elements is displayed on at least one display area between said outermost display areas in such a manner that the second identification part of a first function element and the second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially perpendicular to said first direction.” For at least the reasons regarding claim 1 above, claim 8 is also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claim 8 is respectfully requested.

Claims 9-11 are dependent from claim 8 and recite features not recited in claim 8. For at least the reasons regarding claim 8 above, claims 9-11 are also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claims 9-11 is respectfully requested.

On pages 8-9 of the office action, the Examiner rejects claim 12 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* does not disclose that “a first identification part of each function element of the at least two function elements is displayed in said first direction on outermost display areas, a second identification part of each function of the at least two function elements is displayed on at least one display area between said outermost display areas in such a manner that the second identification part of a first function element and the second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially perpendicular to said first direction.” For at least the reasons regarding claims 1 and 8 above, claim 12 is also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claim 12 is respectfully requested.

Claims 13-15 are dependent from claim 12 and recite features not recited in claim 12. For at least the reasons regarding claim 12 above, claims 13-15 are also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claims 13-15 is respectfully requested.

On pages 10-11 of the office action, the Examiner rejects claim 17 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* does not disclose that “a first identification part of each function element of the at least two function elements is displayed in said first direction on outermost display areas, a second identification part of each function of the at least two function elements is displayed on at least one display area between said outermost display areas in such a manner that the second identification part of a first function element and the second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially perpendicular to said first direction.” For at least the reasons regarding claims 1, 8

and 12 above, claim 17 is also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claim 17 is respectfully requested.

Claims 18-20 are dependent from claim 17 and recite features not recited in claim 17. For at least the reasons regarding claim 17 above, claims 18-20 are also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claims 18-20 is respectfully requested.

On pages 12-13 of the office action, the Examiner rejects claim 21 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* does not disclose that “a first identification part of each function element of the at least two function elements is displayed in said first direction on outermost display areas, a second identification part of each function of the at least two function elements is displayed on at least one display area between said outermost display areas in such a manner that the second identification part of a first function element and the second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially perpendicular to said first direction.” For at least the reasons regarding claims 1, 8, 12 and 17 above, claim 21 is also distinguishable over the cited *Driskell* reference. Withdrawal of the rejection of claim 21 is respectfully requested.

On pages 13-14 of the office action, the Examiner rejects claim 22 under 35 U.S.C. 102 as being anticipated by *Driskell* (U.S. Patent No. 6,239,803). Applicant respectfully disagrees.

*Driskell* does not disclose that “a first identification part of each function element of the at least two function elements is displayed in said first direction on outermost display areas, a second identification part of each function of the at least two function elements is displayed on at least one display area between said outermost display areas in such a manner that the second identification part of a first function element and the second identification part of a second function element are positioned at least substantially next to each other in a second direction substantially perpendicular to said first direction.” For at least the reasons regarding claims 1, 8,

12, 17 and 22 above, claim 22 is also distinguishable over the cited *Driskell* reference.

Withdrawal of the rejection of claim 22 is respectfully requested.

*Claim Rejections – 35 U.S.C. 103*

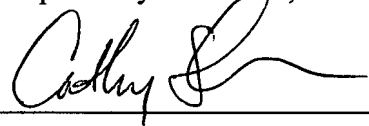
On pages 14-15 of the office action, the Examiner rejects claims 6 and 16 under 35 U.S.C. 103 as being unpatentable over *Driskell* (U.S. Patent No. 6,239,803) in view of *Twerdahl et al.* (U.S. Publication No. 2004/0221243). Applicant respectfully disagrees.

Claims 6 and 16 are ultimately dependent from independent claims 1 and 12 and recite features not recited in claims 1 and 12. Since *Driskell* does not disclose all the limitations of independent claims 1 and 12, for at least the reasons regarding claims 1 and 12 above, claims 6 and 16 are patentable over *Driskell* in view of *Twerdahl et al.* Withdrawal of the rejection of claims 6 and 16 is respectfully requested.

CONCLUSION

The objections and rejections of the Office Action of August 15, 2007 have been obviated by amendment or shown to be inapplicable herein, therefore, withdrawal thereof is requested and passage to issue of claims 1-22 is earnestly solicited.

Respectfully submitted,



11.14.07

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